

REMARKS

In the Office Action mailed February 17, 2010, all pending claims, claims 1-20 and 26-28, are rejected as unpatentable under 35 USC 103(a) over Finke-Anlauff in view of Lenchik and further in view of Will.

On June 9, 2010, the undersigned conducted a telephonic interview with the Examiner that is memorialized in Applicant's Agenda, which was submitted to the Examiner, prior to the interview and in the Examiner's Interview Summary dated June 11, 2010.

The Examiner states in the Interview Summary that "Col. 3-4 of Lenchik's disclosure where the LCD display is expressively manipulated so that the user is able to activate the system with the alert of a phone call or a paging message to select such functionality." The Applicant continues to disagree with the Examiner's conclusions as explained during the Interview and set forth in the Agenda and Applicant's prior responses. The Applicant's Agenda and prior responses are incorporated herein by reference.

Lenchik is directed to a portable electronic device that attempts to match the orientation of the display to the orientation of the device. See Lenchik Col. 3, lines 40-43 ("The orientation of the display 120 may be self configured by the device 100 to match the overall orientation of the self-configuring multiple element portable electronic device.") Because the device may be oriented multiple ways, the device includes differently oriented keys that may be used depending on the orientation of the device. Indeed, the Lenchik device may essentially be configured in one of two modes of operation. In that regard, Lenchik explains "the user may position the two elements 104 and 106 to cause the portable electronic device 100 to self configure as a cellular phone and receive incoming phone calls" or the user may "reposition the elements of the device 100 in order to cause the device 100 to self configure as a pager, whereupon the incoming page may be received and/or responded to." Col. 4, lines 58-67. Thus,

the Lenchik device is self-configured, for example, to function in a phone mode or a pager mode. The Lenchik user may switch between those modes by changing the orientation of the device. However, Lenchik, like Finke-Anlauff, and unlike the claimed device, fails to disclose a device having an item selecting screen for selecting an item from a plurality of items wherein an item is selected from the plurality of items on the item selecting screen in response to a state change from the closed state to the opened state. In other words, none of the cited references disclose selecting an item from a plurality of items by opening the device. Nevertheless, Applicant has amended the independent claims to further distinguish those claims over the cited prior art.


The claims now recite a state where a specific item which requires a text input operation is selected from the plurality of items and a text input screen for the selected item is displayed. For example, claim 1 now recites wherein in a state where a specific item which requires **a text input operation by the main operation section** is selected from the plurality of items on the item selecting screen, in response to a state change from the closed state to the opened state, the control section controls said display section to change from the item selecting screen, into displaying a text input screen for the selected specific item, and wherein in a state where a specific item which requires **a text input operation by the main operation section** is selected from the plurality of items on the item selecting screen, in response to that selection of the specific item is determined by the auxiliary operation section, said control section controls said display section to display thereon a message screen prompting a user to change said portable unit from the closed state into the opened state. Claim 1 further requires that a text input screen for the selected specific item is displayed. Claims 8 and 15 are similarly amended. None of the cited references disclose these newly claimed features.

Accordingly, it is submitted that all pending claims are now allowable for the foregoing reasons.

The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 50-0675, Order No. 848075-0061.

Respectfully submitted,

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New York, New York



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